

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-17 were pending prior to the Office Action. Claim 18 has been added through this reply. Therefore, claims 1-18 are pending. Claims 1, 9 and 10 are independent.

§ 102 REJECTION – KONDO

Claims 1-2, 5-7, 9-10, 13, and 16 stand rejected under 35 USC 102(e) as allegedly being anticipated by Kondo et al. (USP 6,525,764). *See Office Action, item 2.* Applicant respectfully traverses.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Kondo fails to teach or suggest each and every element of the claims. For example, independent claim 1 recites in part, “moving state of the original medium is judged, and a dynamic image display mode is selected, based on the judged moving state of the original medium, from among a plurality of dynamic image display modes which are stored in advance.” Independent claims 9 and 10 recite similar features.

As recited in the claims, the moving state (for example, moving speed) of the original medium is judged. Based on the judged moving state of the original medium, a dynamic image display mode among a plurality of dynamic image display modes is selected. The plurality of the dynamic image display modes may be stored in advance. The dynamic image is display on the display section in accordance with the selected dynamic image display mode.

For example, as shown in Figure 6, if the moving speed V of the original medium is greater than or equal to a reference value V_{REF} when the original medium is being moved to register the image at the image reading position, a high speed display mode is selected and set as the dynamic image display mode. On the other hand, if the moving speed V of the original medium is less than the reference value V_{REF} when the original medium is moved to register the image at the image reading position, a highly-detailed display mode is selected and set as the dynamic image display mode. Accordingly, the image on the original medium can be registered accurately.

In contrast, Kondo is entirely silent regarding whether a dynamic image display mode is set based upon results of judging the moving state of the original medium. In other words, Kondo cannot be relied upon to teach or suggest at least this feature. Therefore, independent claims 1, 9, and 10 are distinguishable over Kondo.

Claims 2, 5, 7, 13 and 16 depend from independent claims 1 and 9. Therefore, for at least the reasons stated above with respect to independent claims 1 and 9, these dependent claims are also distinguishable over Kondo.

Applicant respectfully requests that the rejection of claims 1-2, 5-7, 9-10, 13 and 16 based on Kondo be withdrawn.

§ 103 REJECTION – KONDO, EDGAR

Claims 3-4, 8, 11-12, 14-15 and 17 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Kondo in view of Edgar (USP 6,380,539). *See Office Action, item 4.* Applicant respectfully traverses.

It is noted that the rejected claims depend from independent claims 1 or 9 directly or indirectly. It has been shown above that the independent claims are distinguishable over Kondo. Edgar has not been, and indeed cannot be, relied upon to correct for at least the above-noted deficiencies of Kondo. Therefore, independent claims 1 and 9 are distinguishable over the combination of Kondo and Edgar. For at least due to the dependency thereon, these rejected dependent claims are also distinguishable over the combination of Kondo and Edgar.

For at least the above stated reasons, Applicant respectfully requests that the rejection of claims 3-4, 8, 11-12, 14-15, and 17 based on Kondo and Edgar be withdrawn.

NEW CLAIMS

Claim 18 has been added through this reply. Claim 18 depends from independent claim 1. Therefore, for at least the reasons stated with respect to independent claim 1, new claim 18 is also distinguishable over the cited references of record. Applicant respectfully requests that the new claim 18 be allowed.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120 is being filed concurrently herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

U.S. Application No. 09/988,767

Docket No. 1982-0173P

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Page 19 of 19

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s): Corrected Drawing Sheet

AMENDMENTS TO THE DRAWINGS

Attached hereto is one (1) sheet of replacement drawing that comply with the provisions of 37 C.F.R. §1.84 and one (1) sheet of drawing with the amendments. The corrected drawing incorporates the following change:

- In Figure 5A, upon negative determination in step 106, the flow chart returns to step 104 to enhance consistency with the specification. *See e.g. specification, page 43, lines 6-8.*

Applicant respectfully requests that the corrected formal drawings be approved and made a part of the record of the above-identified application.



ANNOTATED Marked-up sheet

FIG. 5A

